

**CHARGE OF DISCRIMINATION**

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

**AGENCY**
☐ FEPA  
☒ EEOC
**CHARGE NUMBER****130-2005-04330**\_\_\_\_\_  
State or local Agency, if any and EEOC

NAME (Indicate Mr., Ms., Mrs.)

Ms. Alverene Dixon Butler

HOME TELEPHONE (include area code)

(334) 613-1841

STREET ADDRESS

2137 Beverly Drive Montgomery, AL 36111

CITY, STATE AND ZIP CODE

DATE OF BIRTH

10-03-56

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME  
Department of Transportation

NUMBER OF EMPLOYEES, MEMBERS

More than 15

TELEPHONE (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

NAME

TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))

☒ RACE    ☐ COLOR    ☐ SEX    ☐ RELIGION    ☐ AGE  
☒ RETALIATION    ☐ NATIONAL ORIGIN    ☐ DISABILITY    ☐ OTHER (Specify)
DATE DISCRIMINATION TOOK PLACE  
EARLIEST (ADE/VEPA)    LATEST  
(ALL)☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

Attached hereto and incorporated herein as if fully set forth herein.

FEB - 2 2006

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct.

SIGNATURE OF COMPLAINANT

*Alverene D. Butler*SUBSCRIBED AND SWORN TO BEFORE ME ON THIS DATE  
(DAY, MONTH, AND YEAR)Date *Alverene D. Butler* Charging Party (Signature)**DEFENDANT'S  
EXHIBIT**

AA

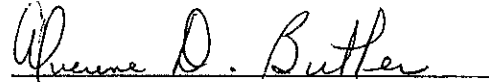
**STATE OF ALABAMA  
COUNTY OF MONTGOMERY**

My name is Alverene Dixon Butler, I solemnly swear the following is true and correct in every particular:

1. I am a 48 year old female of African-American decent, and I have been an employee of the Department of Transportation State of Alabama for eleven years. I am of sound mind and body.
2. I initially filed a charge of discrimination with the Equal Employment Opportunity Commission back in 1998. I alleged unlawful retaliation. I subsequently filed charges of discrimination in February, 2003, alleging race discrimination and unlawful retaliation, and sexual harassment. I never received a right-to-sue letter on the 1998 charge, but I did receive a right-to-sue letter on the February, 2003 charge.
3. Although I consulted a lawyer about filing a lawsuit on the February 2003 charge, said lawyer was unwilling to take my case on a contingency basis and required a minimum fee of \$5,000.00, which I could not afford. I was assigned an attorney pursuant to the instructions of the ALDOT's EEOC office and was informed that I did not have a choice as to my representative and was assigned an attorney. Prior to this hearing, I had no consultation with this attorney and likewise, feel that I was ill represented in my EEOC proceedings. Subsequent to the hearing in this case, it was determined that my charges were substantiated, however, ultimately, the court ruled in ALDOT's favor.
4. Ever since I filed my February, 2003 charge of discrimination, I have been on the receiving end of unlawful harassment and other forms of retaliation, creating a cold and hostile work environment. Which I am being blamed by my co-workers for creating an unharmonious work environment due to my reporting charges of discrimination and harassment. The most recent instance to which I have been subjected, are reflected in the two attached complaint forms filed with the Alabama Department of Transportation. Said complaints are attached hereto as Exhibits A and B and incorporated herein, the same as if more fully set forth herein.
5. I continue to this day to experience this cold and hostile work environment at the Department of Transportation. It has become more than I can tolerate. It has caused me considerable mental and emotional anguish, loss of sleep and other physical symptoms related to the anguish I have experienced.

6. I have requested Attorney Julian McPhillips of the law firm McPhillips Shinbaum, L.L.P. to represent me in this matter. Any further communications with me should be through either Mr. McPhillips or his senior legal assistant, Ms. Amy Strickland, 516 S. Perry Street, Montgomery, Alabama (334) 262-1911.

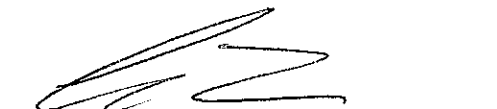
Submitted this the 27<sup>th</sup> day of April, 2005.

  
Alverene Dixon Butler

State of Alabama

County of Montgomery

I hereby acknowledge that Alverene Dixon Butler personally appeared before me on this the 27<sup>th</sup> day of April, 2005, who did state that the foregoing statement is true and correct in every particular.

  
Notary Public  
My Commission Expires \_\_\_\_\_

Date Executed \_\_\_\_\_

2005-4-27